

# **Dane County Drug Treatment Court Handbook**



Rev: May 2022

Welcome to Drug Court. This handbook outlines expectations while you are participating in the program. We encourage you to share this information with your family and friends who support your recovery. The handbook is a guide to the program and may change from time to time without prior notice. The handbook should not be considered a contract between you and the Drug Court Treatment Program.

## **Mission Statement**

The mission of the Dane County Drug Court Program is to enhance public safety through the reduction of recidivism by coordinating effective and accountable substance abuse treatment and supportive services for offenders with substance abuse problems.

## **Eligibility**

- Felony level drug driven charge
- The current charge must not be considered a violent charge and involve no weapons
- Dane County resident and over the age of 18 years old
- Identified as having SUD treatment need and willingness to be treated.
- Must be determined to be at moderate risk to reoffend as identified by the COMPAS score.
- Must agree to participate in behavioral changing programs and services.

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## Program Phases

### Phase 1 – Stabilization: (30 days)

#### Requirements:

- Maintain consistent negative drug/alcohol tests
- Attend weekly meetings with Case Manager and Probation Agent
- Weekly court appearances
- Must obtain written approval for travel outside of Dane County and within state of Wisconsin
- Enroll and participate in recommended treatment, including prescribed medications

#### Goals:

- Maintain honesty in communication
- Review participant handbook
- Develop case plan to address needs, barriers, and self-identified goals with Case Manager
- Create a pro-social/support meeting plan
- Enroll in recommended treatment and establish treatment goals
- Minimum of 14 days of consecutive negative drug and alcohol tests to advance to phase 2
- Other goals as established with treatment court team members
- Complete phase advancement application and submit to court

*(Failure to achieve Phase 1 goals within 90 days will require you to fill out request for extension or motion to terminate may be filed.)*

### Phase Two- Treatment Engagement: (60 days)

**\*\* Graduation date set 11 months from Phase Two advancement. \*\***

#### Requirements:

- Maintain consistent negative drug/alcohol tests

- Attend weekly meetings with Case Manager and Probation Agent
- Appear in court every two (2) weeks if testing negative and violation free
- Must obtain written approval for travel outside of Dane County and within state of Wisconsin
- Continue with any treatment recommendations, including prescribed medications
- Maintain stable housing, school, employment, community service work as required
- Enroll in Thinking for a Change Program (T4C)

**Goals:**

- Maintain honesty in communication
- Engage in pro-social activities, including one (1-2) community support meeting per week
- Complete 8 hours of community service per month if not employed
- Actively participate in recommended treatment and establish treatment goals
- **Learn** skills in treatment
- Minimum of 30 days of consecutive negative drug and alcohol tests.
- Develop and present case plan goals in court
- Other goals as established with treatment court team members
- Complete phase advancement application and submit to court

*(Failure to achieve Phase 2 goals within 90 days of advancement to Phase 2 will require you to fill out request for extension.)*

**Phase Three- Establish Community Support: (90 days)**

**Requirements:**

- Maintain consistent negative drug/alcohol tests
- Attend weekly meetings with Case Manager and Probation Agent
- Appear in court every three (3) weeks if testing negative and violation free

- Must obtain written approval for travel outside of Dane County and within state of Wisconsin
- Continue with any treatment recommendations
- Maintain stable housing, school, employment, community service work as required
- Complete Thinking for a Change Program (T4C)
- Complete phase advancement application and submit to court

**Goals:**

- Maintain honesty in communication
- Complete recommended treatment
- Complete 16 hours of community service per month if not employed
- Attend two (2) community support group meetings per week with verification
- Demonstrate ability to **apply** skills learned in treatment
- Minimum of 45 days of consecutive negative drug and alcohol tests.
- Develop and present self-identified goals and progress in court
- Other goals as established with treatment court team members
- Complete phase advancement application and submit to court

*(Failure to achieve Phase 3 goals within 90 days of advancement to Phase 3 will require you to fill out request for extension.)*

**Phase Four- Recovery Maintenance: (90 days)**

**Requirements:**

- Maintain consistent negative drug/alcohol tests
- Attend meetings with Case Manager and Probation Agent once every two weeks.
- Appear in court every four weeks (4) if testing negative and violation free
- Must obtain written approval for travel outside of Dane County and within state of Wisconsin
- Continue with any treatment recommendations

- Maintain stable housing, school, employment, community service work as required

**Goals:**

- Maintain honesty in communication
- Complete recommended treatment and provide verification including a discharge summary
- Comply with treatment discharge recommendations
- Complete 32 hours of community service per month if not employed
- Attend three (3) community support group meetings per week with verification
- Demonstrate ability to **maintain** skills learned in treatment
- Minimum of 60 days of consecutive negative drug and alcohol tests.
- Develop and present relapse prevention plan in court
- Pay \$50 Treatment Court fee
- Other goals as established with treatment court team members

*(Non-compliance in Phase 4 may result in an extension of graduation date or motion to terminate.)*

**Phase Five- Planning for Ongoing Recovery: (90 days)**

**Requirements:**

- Maintain consistent negative drug/alcohol tests
- Meet with case manager once every three weeks
- Face to face contact with probation agent as required
- Appear in court every four (4) weeks if testing negative and violation free
- Continue any treatment, including Aftercare/Relapse Prevention Programming as recommended
- Maintain stable housing, school, employment, community service work as required

**Goals:**

- Maintain honesty in communication
- Complete recommended treatment and provide verification including a discharge summary
- Comply with treatment discharge recommendations
- Complete 32 hours of community service per month if not employed
- Attend three (3) community support group meetings per week with verification
- Demonstrate ability to **maintain** skills learned in treatment
- Minimum of 90 days of consecutive negative drug and alcohol tests.
- Complete graduation application and submit to court 4 weeks prior to graduation
- Present drug court aftercare plan one month prior to graduation
- Other goals as established with treatment court team members

*(Non-compliance in Phase 5 may result in an extension of graduation date or motion to terminate.)*

## **Program Conditions**

Everyone in this program, will have conditions as a part of their agreement. These conditions are to be met prior to graduation. Failure to complete these requirements, may lead to further sanctions or extension of the program.

## **Case Manager & Appointments**

You will be assigned a case manager. Case managers will assist you by connecting you to resources in the community. Many of the Drug Court case managers have worked with the program for many years, have a wealth of experience, and know what has helped past participants graduate successfully. Case managers have a responsibility to keep you accountable and must report to the Drug Court team on



your progress and compliance.

You will meet with your case manager weekly and will be expected to spend at least 20 minutes with your case manager during your office appointment.

You will be expected to meet as scheduled and on time. Do not bring children with you to these appointments.

During meetings with your case manager, be open and honest about your goals, your progress towards achieving them, and anything else related to your recovery. Your case manager will give periodic updates to the Drug Court team about your progress. The case manager may check in with your workplace, schools, physician, counselor, and any other persons involved in working with you while you are in Drug Court. Information shared with or obtained by the case manager will be shared with the team. You must sign releases of information as requested by your case manager. Drug Court proceedings are open to the public and therefore, disclosure of confidential treatment information will be kept to the minimum necessary to accomplish the intended purpose. You must provide all medications prescribed to you.

### **Rescheduling:**

If you are unable to make your scheduled appointment, you are expected to provide at least 24 hours' notice to the case manager. There is no guarantee that you will be allowed to reschedule. If there is a medical emergency, you will need to provide documentation within 48 hours.

## **Treatment**

Every Treatment Court participant will be assessed, and an individual treatment plan recommendation will be given. The plan will serve as a guide for you throughout treatment and will be updated regularly. The Drug Court team will focus on helping you achieve the goals in your treatment plan.

The assessment will determine the initial level of care that will best meet your needs. You may be referred to detoxification, residential, day treatment, intensive outpatient, or an outpatient program. Insurance provider will also be taken into consideration when recommending treatment provider. Treatment could include both individual and group counseling.

You must participate fully in your treatment plan and sign the releases of information for all treatment providers. Revoking these releases of information is a violation of program rules.

Discharge paperwork must be supplied to case management after completing a course of treatment. There may be additional treatment requirements based on discharge recommendations. All recommendations are to be completed prior to graduating from the Dane County Treatment Court program.

You are responsible for paying for treatment and for being in compliance with payment plan obligations. If uninsured, you will be encouraged to apply for or enroll in insurance.

## **Alcohol/Drug Testing**

You will be tested at a minimum of twice per week for the entire time they are in the program. The schedule of drug testing is random. The probability of being tested on weekends/holidays is the same as on other days.

At your intake appointment with the case manager, the testing procedure will be explained including calling the testing number daily to find out if you are expected to test. If so, you are required to complete a test that day.

- ARC 608-283-6433
- ATTIC 1-800-494-1250

**You are responsible for knowing the hours that the case management office is open for UA's. Be alert to the possibility of different hours on holidays.**

- Unauthorized substances include alcohol, illicit drugs, and addictive or intoxicating prescription medications that are taken without prior approval from Drug Court and not during a medical emergency.
- Drug and alcohol testing will be done on weekends and holidays.
- A staff person will directly observe the collection of test specimens. The staff person will be the same gender as you.
- Failure to provide a test or providing insufficient volume of fluid for testing is a violation of program rules and will be sanctioned accordingly.
- Attempts to dilute sample can be evaluated by a lab and is a violation of program rules.
- We are aware that cannabinoids can remain in the system for several days. We are also aware of the research that notes continued positive tests after two weeks should be considered new marijuana use. Drug Court team will be holding you to that expectation.
- You can be sanctioned for associating with other people who are engaged in substance use or for exposing yourself to passive inhalation or secondhand smoke.

## **Probation Agent**

As part of participation, you will be on probation during the program and possibly for a period of time after graduation from Drug Court. Your probation agent is part of the Drug Court team. Your case manager and probation agent will communicate frequently. They will assist you in accessing programs as quickly as possible. On the other hand, if there are violations, this communication will allow for rapid intervention.

Please note: Just because you told your probation agent about police contact, new address, or treatment issue, does not mean your case manager knows. Please communicate important events in your life to both individuals.

## **Court Appearances**

You will be required to appear in court on a regular basis. Before each appearance, the Drug Court team, consisting of the prosecutor, public defender, clinical coordinator, and Judge, will be given a report about your progress prepared by your case manager. The report will include alcohol/drug test results, information on AODA treatment and attendance at support groups, employment or schooling, legal problems, financial issues, housing, physical and mental health issues, family relationships and domestic violence, recreation, and spirituality. The Judge may ask you questions about your progress and discuss any problems you have been experiencing. You may raise questions or concerns. You will be encouraged to continue working with your treatment team toward graduation from Drug Court.

**If you are not doing well**, the Judge will discuss this with

you and determine any further action that needs to be taken. There are many responses to program violations. The Judge may order sanctions as described later in this handbook.

Court appearances as scheduled are mandatory. Unless excused by the Judge, you must remain in the courtroom for the entire session. Court sessions can last up to three hours. If an emergency takes place and you cannot appear in court as scheduled, you must notify your case manager and notify the court if it is the day of the court hearing. In order for a missed hearing to be excused, you must provide documentation that supports the reason for the miss. An unexcused failure to appear in court on the date and time you are scheduled will result in a warrant being issued for your arrest.

The Court can be notified at 608-266-4311

## **Fees**

There is a one-time \$50 program fee is due 60 days prior to completion of the program. This program fee is paid to Journey at 25 Kessel Court Suite 200, Madison, WI 53711. **Cashier's check, money order or Credit Card is accepted.** If you are indigent, you may apply to the Judge for waiver of the fee through the Clerk of Courts office.

## **Restitution**

If restitution has been ordered in your case, you must make sufficient progress paying on this obligation. You may be asked about this progress during court reviews and during case management appointments. If you have not made sufficient progress on paying restitution, your drug court contract may be extended.

## Community Support Meetings

Attendance at community support meetings is encouraged and may be required throughout the entire Drug Court program. If you are court ordered to attend a support group meeting, you must provide your case manager with documentation of your attendance.

If you attend a 12-step program, you may obtain a sponsor. A sponsor is a group member with a significant period of sobriety, who is available to assist in your recovery.

Examples of acceptable support meetings and contact information:

Narcotics Anonymous: <https://wisconsinna.org/>

Alcoholics Anonymous: [www.aamadisonwi.org](http://www.aamadisonwi.org).

Celebrate Recovery: <http://grouplocator.crgroups.info/>

Smart Recovery: [www.madisonsmartrecovery.org](http://www.madisonsmartrecovery.org)

Heroin Anonymous: <https://heroinanonymous.org/>

## Community Service

There are many reasons we make community service a part of your Drug Court requirements:

- It is a way of making amends to the community for breaking the law.
- It furthers your recovery and rehabilitation.
- It is a productive use of your time, and encourages a good work ethic.
- It brings you in touch with others who make a practice of giving back to the community.
- It may give you experience that will help you get a paying job.

In addition to the required community service hours required in phases 2-5, community service may be assigned to you at

any time by your case manager, judge, or probation agent.

## Drug Court Rules

You are required to abide by the following rules:

1. **Honesty is expected.** Overcoming alcohol or drug addiction is not easy, yet thousands of individuals do it every year with the help of others. Your success will take your best effort, including constant truthfulness on your part. Lies keep you alone, speaking only to yourself. The Drug Court Team will tell you the truth and will expect the truth in return. **Dishonesty is considered a program violation for which you may be sanctioned.** This includes keeping or hiding certain pieces of relevant information, otherwise known as “lying by omission.” Lying by omission is considered the same as lying and will be treated in the same way.
2. **Do not tamper with alcohol/drug testing.** Tampering or attempting to tamper with urine or interfering with alcohol/drug testing is a serious offense. This includes ingesting substances (including large amounts of water) to alter the result, putting something in the urine, providing a sample that is not urine, or providing urine that is not yours. Success in Drug Court Treatment Program depends on a relationship of trust. You are expected to be honest and truthful in their interactions with DCTP personnel. **THEREFORE, TAMPERING OFFENSES WILL RESULT IN SIGNIFICANT SANCTIONS AND MAY RESULT IN TERMINATION FROM THE PROGRAM.**
3. **Medications.** You must bring the actual medications, prescribed and over-the-counter, that you are taking to your case manager. Do not take any over-the-counter products that contain alcohol.

4. **Do not possess or consume illegal drugs, drug paraphernalia, alcohol, or any substance that contains alcohol or any controlled substance not currently prescribed for you.** Sobriety is the primary focus of this program. Maintaining a drug-free lifestyle is very important to your recovery.
5. **Submit to periodic alcohol and drug tests. If you miss a test** or are unable to produce a sample, you must make it up by 10:30am the next business day. A make-up test does not excuse a missed test. Missing a test is a violation unless it is excused.
6. **Do not remain in the presence of others who are using illegal drugs.** It will be very difficult to maintain abstinence if you are with people using drugs. If you test positive it will count as a use violation, even if you tell us you did not use alcohol/drugs but were exposed to the substance use of others. The court may order you to have no contact with certain individuals.
7. **Follow the treatment plan made for you by your counselor and attend all assigned treatment appointments including individual and group sessions. Attend all required cognitive intervention group sessions.**
8. **Report to your case manager as directed and follow all rules and requests of your case manager.** You will have regularly scheduled meetings with your case manager. If you have a problem keeping a scheduled appointment, contact your case manager immediately. While we expect you to respect your case manager's time, you should never hesitate to contact him or her at any time if you need help.
9. **Be on time to court, case management appointments, and treatment.** Being late may mean that you miss



counseling sessions, and you will be considered noncompliant. Contact your treatment provider and case manager if there is a possibility that you may be late. The Judge may sanction you for being late to court, treatment, or other appointments related to Drug Court.

## **Rules and Expectations for Court**

- a. Be on time.
  - b. Be prepared for court. Bring any assignments, verification of community support meetings, community service verification forms, and planner to court.
  - c. Act appropriately in court. Disruptive behavior is unacceptable. This includes leaving the court without permission to use the restroom. Inappropriate behavior will not be tolerated and may result in your termination from the program. This includes threats or threatening behavior toward other participants, counselors, or Drug Court team staff.
  - d. Do not bring children to court.
  - e. Do not have cell phones or other electronic devices on during court. These devices may be confiscated during the court session.
  - f. Water is permitted in court. No other beverages, gum, or food is allowed unless court or case manager gives exemption.
  - g. Dress appropriately for court.
  - h. Be considerate and attentive of all participants during court.
  - i. Do not schedule school, work, or outside appointments during the time of the court session.
10. **Behave appropriately at case management appointments and at treatment.** The rules governing court conduct above apply to these appointments as well.

11. You are expected to have a working phone with voicemail where you can be reached. Free cell phones can be accessed at [www.safelinkwireless.com](http://www.safelinkwireless.com).
12. **Tell the Court, case management, and probation agent any time you have a change of address or phone number.**
13. **Phase length is expected to be 90 days.** If you are not able to advance to the next phase in 90 days, you will need to fill out an extension application. This application explains your plan for advancing by a proposed date. Drug Court Team will use your proposal as a guide in determining the expected advancement date. If you are unable to advance in that period of time, a motion to terminate will be filed, see page 20.
14. **Final Phase Expectations:** A missed drug or alcohol test during the final phase will extend the contract by one week. Two missed tests during that period will extend the contract by 90 days from the date of the next negative test. Any other violation may result in an extension of contract up to 90 days. You are expected to have no positive alcohol or drug tests or use of unauthorized substances for 90 days prior to your graduation date. If there is a use violation, your graduation date will be extended based on the next negative test. A motion to terminate may be filed if violations continue in the final phase for failure to progress.
15. **Obey the law.** Do not drive a vehicle without a valid driver's license. Report any police contact within 24 hours to your case manager and probation agent, whether or not you are arrested. If you are observed or are cited for driving after suspension or revocation, ***this will be considered a violation of the program.***

## **Incentives/Sanctions**

**The choice is yours.** It is important to know what will happen when you do well and when you are noncompliant in Drug Court. This section is designed to clearly let you know the consequences.

### **Incentives**

Any behavior exhibited by you deemed to be pro-social or positive also warrants a response and acknowledgement. you may be recognized in one or more of the following ways:

- Positive feedback from Commissioner or Drug Court Team
- Permission for out of county travel
- Receiving gift card for food or other gift items
- Having fewer check-ins, appointments, and court appearances.
- Being recognized as Person of the Week

### **Incentives may be granted for:**

- First negative alcohol and drug test
- Progress and completion of substance use treatment or cognitive intervention group.
- Being upfront and honest about use or violation
- Obtaining valid driver's license
- Other accomplishments

### **Sanctions**

Any behavior deemed to be against the conditions of your agreement, whether it be the conditions set forth in the agreement or between the client and the monitoring agency. *Examples: missed supervision contacts, new arrest, or charges.*

In the unusual case that your case manager determines a

violation occurred for reasons beyond your control, s/he may excuse the violation. The case manager's decision is final.

## **Jail**

When you fail to comply with the rules of the Drug Court Program, the Commissioner, in consultation with the Drug Court team, may order you to jail. Most jail sanctions are between one and five days but may be longer. In addition, the Commissioner may order you to jail out of concern for your safety or the community's safety.

**You must make arrangements before court to take necessary medication, reschedule appointments and take time off work, as the jail sanction will be served immediately after your court appearance. Don't leave your car parked at a meter if you think you might go to jail.**

## **Homework**

During case manager appointments, you will often complete homework assignments and you may be required to complete homework as a response to a violation. You should provide that to your case manager within one week unless another time limit is set.

### **Other possible sanctions include:**

- Extending the length of your current phase.
- Increasing the frequency of your attendance with case management.
- Increasing frequency of alcohol/drug testing, check-ins, and individual meetings.
- Require home alcohol testing or electronic bracelet monitoring.
- Other, individually tailored sanctions.

## **Sanctions may be imposed for:**

- Possessing or using unauthorized substances
- Behavior inconsistent with a commitment to meeting Drug Court goals
- Being arrested for a traffic or criminal offense
- Missing or being late to court, UA or BA, case management meeting, a check-in, probation appointment, or treatment appointment
- Failing to report police contact within 24 hours
- Being dishonest, deceitful, or untruthful
- Engaging in disrespectful behavior towards staff, other agencies involved with drug court, or other participants
- Failing to seek or maintain full-time employment, education, or a combination unless you are excused because of a disability or other hardship
- Violating any other program rule or individual requirement imposed by the Court, case management, or probation agent

## **Graduation Criteria**

Participants must meet the following criteria in order to graduate from the Treatment Court program.

- Participant fees must be paid in full.
- Participant will be in compliance with treatment provider recommendations including any discharge recommendations.
- Participants must comply with specific conditions of the plea agreement, including but not limited to payment of restitution, if ordered.
- Adequate progress toward goals must be accomplished.
- Participant must complete graduation application to case manager to be approved by Drug Court Team.
- No positive drug or alcohol tests for a minimum of 90 consecutive days prior to graduation date.

- Participants graduation date is initially set 11 months after initial plea in for DCTP or when you reach Phase 4.

## **Termination Process**

You can self-terminate out of drug court at any time. It is highly recommended that you consult with an attorney prior to making this decision.

Upon motion by the State, a participant *may* be terminated from the Drug Treatment Court program for any of the following:

- Committing a felony, a violent misdemeanor, an offense that involves a weapon or delivery of a controlled substance
- Tampering with a drug or alcohol test
- Dishonesty
- Any conduct that presents a threat to the safety and well-being of others
- Driving while intoxicated or driving after revocation
- Failing to progress in the program within reasonable expectations
- Repeated violations of program rules or of law
- Any conduct compromising the integrity of the program

After a motion to terminate is filed the court will schedule a hearing, usually within four weeks. The participant is entitled to be represented by an attorney and to present evidence at that hearing. You are entitled to be represented by a lawyer at that hearing and to present any evidence you wish the Court to consider in deciding the motion. If you are requesting a public defender, you will need to reapply.

State Public Defenders Office is located:  
17 South Fairchild Street, 2<sup>nd</sup> Floor  
Madison, WI 53703

608-267-1777

A participant who has been absent from the Drug Treatment program for ninety (90) days will be automatically expelled from the program. If a person who has been expelled from the Program due to an extended absence seeks to re-enter the program, the person must request a re-admission hearing to re-enter the Drug Diversion program. A plan to complete the program must be submitted for consideration at the re-admission hearing.

**DECISIONS MADE BY THE DRUG COURT TEAM ARE NOT  
SUBJECT TO APPEAL**

## Drug Contact Information

**Case Manager:** \_\_\_\_\_

**Contact Number:** \_\_\_\_\_

**Probation agent:** \_\_\_\_\_

**Contact Number:** \_\_\_\_\_

**Treatment provider:** \_\_\_\_\_

**Treatment counselor:** \_\_\_\_\_

**Contact Number:** \_\_\_\_\_

**Color for UA testing:** \_\_\_\_\_

**Color line Number:** \_\_\_\_\_



## **Drug Treatment Court Program Handbook**

I, \_\_\_\_\_ have read the Drug Treatment Court handbook and have had the opportunity to ask questions. I agree to follow the guidelines outlined in this handbook and my Treatment Court Program Conditions. I agree to hold on to this handbook as a reference while involved in the program.

\_\_\_\_\_  
Participant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Case Manager Signature

\_\_\_\_\_  
Date

### **Drug Court Partner Agencies**

ARC Community Services  
ATTIC Correctional Services  
City of Madison Police Department  
Dane County Circuit Court  
Dane County District Attorney's Office  
Journey Mental Health Center  
Dane County Sheriff's Office  
Dane County Department of Human Services  
University of Wisconsin – Dept. of Family Medicine  
WI State Public Defenders Office  
WI Department of Corrections